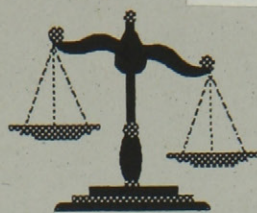




Quid Novi



Volume XIV, No. 23

UNIVERSITÉ MCGILL FACULTÉ DE DROIT
MCGILL UNIVERSITY FACULTY OF LAWApril 1, 1994
le 1^{er} avril, 1994

McGill Law Names New Dean

Former PM to Replace Morissette on July 1st

It's all over...

Old Chancellor Day Hall returns to a state of normalcy today after months of speculation about who would replace Dean Yves-Marie Morissette. In a statement released yesterday by McGill Principal David Johnston it was announced that former Prime Minister Kim Campbell will be that person. "Kim Campbell brings a wealth of experience to McGill and to the Faculty of Law in particular," Principal Johnston said.

Rumours had been rife that an internal candidate would be chosen for the top post. Yet Campbell, 46, emerged as the choice of the Dean's Selection Committee, mainly it seems, for her legal savvy.

In a meeting with the Editorial Board of the *Quid Novi* yesterday afternoon Dean-Designate Campbell was asked about her views on Canadian

jurisprudence. "Law is much too complex a subject to discuss in a 5 year Dean's mandate," she replied.

Ms. Campbell did set out her plans for the faculty, which include greater participation of the Dean's office at Law Games. "My track record on the short sprint could be useful to the McGill delegation."

When pressed to respond to the fears of upper students that employment prospects are bleak and not improving, the Dean-designate said: "Fear not, there will be jobs by the year 2000."

Academic pundits and university pollsters believe Ms. Campbell's political connections could help drum-up money for the cash-starved faculty of researchers and instructors. It has been suggested that the future Dean will ask for a return on her worker-training concessions to the Quebec Liberal

government made last August while she was in government.

Others have suggested that Ms. Campbell's decision to settle into academia is more personal. Insiders have hinted she is tired of being a colourful fashion-plate and a "base-face" for television. She looks forward to her faculty membership and to wearing the same thing everyday. The abundance of young virile men found around Peel and Docteur Penfield streets could provide for a radical change from Ottawa's "unspeakable loneliness". An outgoing LSA executive, who asked to remain anonymous, said that Josh Fireman recently cut and styled his hair with "Soul-glo" in a bid to win the hand of the single Dean-designate.

Ms. Campbell will make her installation as Dean on July 1, 1994 by

(Continued on page 8)

Your Legal Questions Answered

Professors Brierley, Harvison-Young, Kasirer, Toope, and Scott

There are so many things to learn at law school. One dilemma encountered by many students is that they are afraid to admit that they have no idea about various matters because they believe such issues to be so fundamental that it would prove extremely embarrassing to betray such ignorance. As a public service

the Quid editorial staff has collected some questions about these matters and forwarded them without students' names to a number of faculty members for replies. Some of the questions are produced below for readers.

Q: What exactly is the difference between the common law and the civil law?

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Announcements / Annonces

Forum National, presents...

Jean Charest, Interim Leader of the Progressive Conservative Party of Canada. Topic: The future of the Conservative Party, Rise of Regional Parties in Canada, Upcoming Quebec Elections. Wednesday, March 30, 1994 12:30p.m. Moot Court.

&

L'Honorable juge Melvin Rothman, of the Quebec court of Appeal. Topic: "On the Role of the Judiciary in the Legislative Process". Tuesday, April 5th at 1:00 p.m., in the Moot Court (right after Easter break). Justice Rothman is one of Quebec's most experienced and respected judges. Don't miss this opportunity to hear him speak about this very interesting topic!

Allan Falconer Student Essay Competition in Family Law

The Canadian Journal of Family Law has announced the "Allan Falconer Student Essay Competition in Family Law". Students currently registered in faculties of law in Canada are invited to submit articles on any topic related to the field of Family Law. The articles will be reviewed by the Advisory Board of the Journal and the best submission will be published in a forthcoming issue of the Canadian Journal of Family Law. The deadline for submissions is 31 May 1994. Manuscripts should be type-written, double-spaced and in either English or French. The maximum length is 40 pages. Articles or enquiries should be addressed to:

The Senior Editor
Canadian Journal of Family Law
Room 165, Faculty of Law
University of British Columbia
Vancouver, B.C. V6T 1Z1

Placement Office News

The Placement Office Committee invites those who have firm brochures or other research information that they no longer need to donate them to the Placement Office. Please leave such materials at the P.O. or with Barbara Kerr at U.S.O.

On a sorrier note, two books, the "Quebec Legal Directory" and the "1993 Hoffman Career Handbook" have gone missing from the P.O. In addition, notices are being removed and not replaced from the notice boards. The P.O. materials are for the use of all students for 1-2 hours at a time. Surely, honesty is something that we can rely on!!

Certain publications will now be available on reserve at the library.

CASEBOOK AND RESEARCH ASSISTANCE

Professor de Mestral requires assistance revising course materials in Droit constitutionnel, EEC I and Law and Practice of International Trade. The period of employment would be 8 weeks. Work could begin immediately or for the period MAY-JUNE. La documentation pour Droit constitutionnel est en français. Students interested are requested to call 398-6643 and to leave a brief résumé in Professor de MESTRAL's mailbox.

Reminders from your user-friendly Office of Undergraduate Studies

Attention Exchange/Visiting Students: Are you in your graduating year? If so, please see Christine Gervais in the Office of Undergraduate Studies as soon as possible.

No lost lambs: Students registered in Judicial Review of Administrative Action (both sections) and Judicial Law and Evidence should be sure they know the location of their examination room well in advance of the scheduled exam date. These examinations are not being written in Chancellor Day Hall. Check Board No.3.

Are you SURE you have your second term exam number? Don't wait until the first day of exams to get yours. The additional stress of standing around in the USO ten minutes before exam time waiting to get yours just isn't worth it! Further reminders, as promised: (i) no computers are allowed into examination rooms, (ii) deadline for second term papers and term essays is Friday, 22nd April, 5:00 pm unless an earlier date has been established.

Stressed out? Can't cope? Pre-exam anxieties? Don't suffer another minute. There is fast, confidential help available. See Christine Gervais in the Office of Undergraduate Studies for details.

Notice to all first year students: upon successful completion of your year you will be admitted automatically to the National Programme. If you wish to opt out, come to the USO to complete the necessary form.

ATTENTION!! ATTENTION!!

Students graduating in 1995. Do you plan to take BUSINESS ORGANISATIONS or CIVIL LITIGATION next year? If so, you will need a password to register. As enrolment numbers are very small for both these courses, we will assign passwords in the fairest possible way.

From the date that Course Selection

Materials become available (anticipated date 15 April) students in their graduating year will have two weeks (ten full working days) to give their names to the Office of Undergraduate Studies. Names will then be picked randomly and passwords given out.

Time is running out. Those students with first term Deferreds/Supplementals to write in August should complete the form available from USO and get it to us before Thursday 31st March.

WORLD-WIDE WEB

The faculty is now in the midst of developing a WWW (World-Wide Web) site on the Internet with a view to accessing and providing electronic legal information. Students interested in pursuing this project should contact Prof. Richard Janda at 398-5097 or by E-mail at richard@falaw.can.mcgill.ca. We are especially anxious to contact students with some computer expertise.

BCE shareholder has ticket to annual shareholder meeting in Toronto, April 27th. Call Brett 278-5124 if you want to go. In the opinion of Greg Fimau this is "the Canadian shareholder meeting to attend".

YEARBOOK: Res Ipsa Loquitur

Do you have some time to help out with putting the yearbook together? Please leave a message in Res Ipsa Loquitur box in the LSA Office. There is lots to do and there are few volunteers.

A Message From The LSA

Remember that the LSA Executive holds office hours 4 days a week now (Wednesday is our day of rest). The exact times we are available will be posted outside the LSA Office. All students note that the LSA will be off limits to all lunchers during these times!

LEGAL EASE - the law school talkshow

Tune in every second Friday on CKUT 90.3 from 11:30 a.m. - 12:00 noon with hosts Melanie Parsons and Patrick Martin.

Next Show = Friday, April 1st at 11:30 a.m.

...please tune in.

-> if you would like to guest host a show please contact Patrick or Melanie.

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EDITORIAL: Quid pro quo

Pendant toute l'année on écrivait des éditoriaux pour vous. Maintenant c'est à votre tour. If you write something and leave it in the Quid Novi box in the LSA Office there is a good chance that we will print it. We'll even help you out a wee bit...

Il était une fois/Once upon a time...

... Le fin/The end.

Mise au point

Gary F. Bell

Director of the Legal Methodology Programme

I will not respond fully to Mr. Berkes' last JODYTALK about the second year Legal Research and Writing Programme. I simply want to point out two inaccuracies, one about the grading standards and one about how one should check for parallel cites.

Mr. Berkes writes that "I can understand that proper citation is important, but not 50% of your grade

important", thus suggesting that citations are worth 50% of the mark. This is simply not so. I indicated to my students that I would use as a guidance 50% for form and 50% for substance (and said that the distinction is not always that clear). Citations fall under form but are only one aspect of it (and not the most important one). Form includes the ability to write well, the ability to organise one's thoughts and the ability to make convincing legal arguments.

The second point is about the proper way to find parallel citations. Mr. Berkes

writes: "I know how to parallel cite. You go to the nice red volumes on the fifth floor, look up your case, and copy down the parallel cite." As I explained to my students, there is a more efficient way of finding parallel cites (for most cites) these days by using QL. I had hoped that by requiring parallel cites and mentioning how to find parallel cites on QL, the students would learn to master this new tool. This is all part of teaching one how to do legal research more efficiently.

Top Ten Signs You Have Watched Too Much Star Trek

(originally printed in the McGill Centre for Intelligent Machines Newsletter, March 1994; submitted with slight modifications by Isobel Mackie, BCL III)

10. You argue with your Constitutional professor because the Charter doesn't include the Prime Directive.

9. Your car's bumper sticker reads: "Zero to Warp 9.7 in 12 seconds."

8. You have more than one pair of Spock

ears in your junk drawer.

7. Your spouse left you because you wanted her/him to dress like a Klingon and torture you for information.

6. You say "make it so" frequently in casual conversation.

5. You tell people your exams will be finished on Stardate 570614.2.

4. You actually consider dishing out \$300

for that model of the Enterprise from the Franklin Mint.

3. Instead of pressing buttons, you say "Deck 4" aloud to the NCDH elevator when going to the library.

2. You insist your independent paper supervisor refer to you as "number one."

1. You fly into a homicidal rage whenever people say "Star Trek? Isn't that the one with Luke Skywalker?"

Have you ever wondered what a pork belly is?

The Quid Novi has. The investigative journalism team from our Niagara Falls Bureau found the answer at the establishment in this photo.

Their response to our query: "Why didn't you just ask Ed?"



LA COUPE DE GRACE

Jon Levinson
LLB III

The following will be told in gender-specific language. Such is intended neither to divide nor discriminate, but rather derives from the fact that the author has not yet been groomed in a hairdressing salon. This tale is the tale of a recent experience in an environment that is itself gender-specific, and so it has been told as such. The words were written with women and men in mind, however, and it is my, the author's, wish that their significance will not be lost on readers of any sex.

I come from learning a great lesson, one which I will not hesitate to recount. Fundamental truths about human nature, and the nature of power and influence, continue still to unfold under the full light of reason. As the powder settles deeper into the pores of my neck, the plenitude of what I have so recently learned continues to cause a warm tingle up the length of my spine. I have just completed my first haircut taken in a pressed shirt and tie.

Haircuts continue to be a source of inspiration to humans of both sexes. The haircut figures intimately in the paradigm of the Young Man, booming and eager, the afternoon component of the urban date, preceding the purchase of the Red Rose to be carried to the door of the Fair Maiden like an admission ticket. It is the haircut that, no less than the abilities to communicate and cooperate, separate us from the animals. The hallmark of civilization itself, a fresh haircut is one's unspoken message to the world that one is doing well, thank you, and quite in command of the situation. The fresh haircut, or *coupe*, if I may, is a charm of power to all those who sport it, regardless of race, colour, creed, occupation, or mood.

Such truth may be taken to be self-evident. Less apparent, however, are the lines of distinction that even today separate the good haircuts from the mediocre. It is no secret that some haircuts are better than others, and the price range on the open market is as wide as the spectrum of affluence itself.

In our human superstition, we continue to associate price with quality in the quest for a better haircut. We forge alliances with our hair management artisans, wielding the club of loyalty like a carrot, and sometimes as a stick. The strategic employment of such forces can secure a better than mediocre coupe most of the time. There exists, however, an unknown element, an X-factor that plunges the client into unease prior to every haircut, the element whose presence is common to all good coupes, and whose absence is found at the scenes of mediocre ones.

The secret is stature - a term heard increasingly seldom in our post-structural culture. The secret to the good haircut is to summon the forces of heaven and nature themselves to *command* the pursuit of aesthetic perfection by the coiffeurial artisan. Upon entering the establishment, the patron must exemplify as many of the hallmarks of strength as can be achieved. Both strength of organism and strength of character must be perceptible; cleanliness of apparel and

(Continued on page 8)

Avis à tous les intéressés: Quid Novi Elections

Avis à tous les intéressés: Élections QUID NOVI

Le jeudi 31 mars 1994 à 16 heures, salle 201 OCDH, une nouvelle équipe de rédaction du Quid devra être élue. La présence de tous les membres actuels du Quid est obligatoire. Toute personne intéressée peut se présenter pour les postes suivants: rédacteur en chef, rédacteur français, responsable de rédaction, responsable de production, directeur administratif, responsable des événements spéciaux, directeur artistique, directeur de l'information et rédacteur de textes. **Veuillez noter: Vous n'avez pas besoin de faire actuellement partie**

du Quid pour vous présenter à ces postes. Ils sont ouverts à quiconque est intéressé. Si vous êtes intéressé(e), vous devez venir à la réunion et vous faire proposer pour le poste que vous voulez par quelqu'un lors de la réunion. Le vote sera tenu de façon anonyme. Venez nombreux!!! La photo du Quid Novi sera prise à cet occasion.

QUID NOVI Elections: All interested persons welcome

Elections for next year's Editorial Board will take place on Thursday, March 31, 1994 at 4 p.m. in Rm. 201 OCDH. Attendance is mandatory for all staff members. Any interested

person is eligible to run for any one of the following positions: editor-in-chief, french editor, managing editor, production manager, administrative director, features editor, artistic editor, news editor and copy editor. **Please note: You do not have to be a Quid Novi staff member to run for any of these positions. They are open to all interested persons.** If you are interested you must show up at the meeting and have someone nominate you. Voting shall be done by secret ballot. Remember, all are welcome. The Quid Novi photo will be taken at this time.

Globalization of Canadian Legal Service Industry

Nan Wang
Nat IV

No matter how much traditional legal professionals may resent the term, legal service is moving from a pure profession to a business or an industry. If you are interested in international legal work -- because of your cultural, academic or personal backgrounds, then as you decide to choose which law firm to work for in these nervous weeks of interviews, you must give some thought to the global strategies of the firm.

Globalized law practice is largely due to the globalization of business. Simply put, globalization occurs when a domestic industry expands to foreign markets and depends on such markets for a substantial share of its products or services and its profits. Legal service and business share some common catalysts for globalization, such as domestic deregulation, fierce domestic competition and opportunities abroad.

In Canada, domestic deregulation started in 1989, when the Supreme Court of Canada, in its land-mark decision of *Black v. Law Society of Alberta*, held unconstitutional provincial restrictions on inter-provincial legal practices. The *Black* decision completely changed the fundamental premises upon which Canadian law firms plan their long-term strategies and internal structure. It set off a spate of mergers, acquisitions and affiliations throughout Canada. Practically, firms of all sizes have been involved in this national process of restructuring.

This process, during which large law firms have firmly established their market shares amongst the institutional client base, necessarily intensified the domestic competition. The ensuing recession only made it worse. Firms have been compelled to think of innovative ways of expanding or simply surviving. At the same time, the economic boom in the Pacific Rim, the disintegration of the Soviet block and the

prospect of NAFTA all offered alluring prospects of foreign markets.

Whether they had a choice or not, firms of all sizes had to think and act globally. The mega-firm of Osler Hoskin & Harcourt of Toronto, for instance, decided to go global as an alternative to expansion within Canada because it has developed to a size where further national expansion is restrained by the relatively small number of available clientele for its typical Canadian service.

Bennett Jones Verchere of Calgary is a regional superpower in Central Canada which has done so well in protecting its own territory that it even set up two offices in Taiwan. Alexander, Holburn, Beaudin & Lang, a mid-sized law firm in Vancouver, has developed successful offshore operations in the Pacific Rim, instead of expanding nationally in competition with other law firms.

Small firms, too, can use the niche strategy to go global. The two-member law firm of Klotz Associates of Toronto, for instance, is well versed in international trade law and the Chinese language. Its business in international trade law with Chinese clients has boomed so much that it even decided to open an offshore office in the Pacific Rim.

There are at least two myths about the globalization of Canadian legal service: (1) only large law firms go global; (2) the letterhead of a firm tells you whether it is a global firm. To see through the myths, one has to understand that there are roughly two types of global players. Opportunism and experimentation best describe the new entrants in the foreign markets because they are primarily engaged in dabbling and learning. They normally follow the leader in the industry and are content with short-term deals. To overcome the belief among their clients that mid-sized or small firms lack dynamism and professional connections, some law firms have decided to enter into informal association with firms that have foreign presence. This is why

some firms which have "international metropolis" in small print on their letterhead do little, if any, international legal work themselves.

On the other hand, commitment and growth best characterize the second type of firms. They have made substantial financial commitment to the venture and have carefully selected their international partners; they have entrenched their presence in the global markets and are ready to build on their current achievements. Smith Lyons of Toronto is typical of such pro-active global strategy: "We're not waiting for deals; we make them."

To either type of global players, however, going global is by no means smooth sailing. High operation costs, political uncertainty and government restrictions in the target countries are the most important factors which make or mar the offshore operation. Franchising is not permitted in countries such as Japan, where it is illegal for a local law firm to practise domestic law under the name of a foreign law firm. Furthermore, no foreign law firms are permitted to practise the law of the target country; they can only advise the local clients on the former's own domestic law. Recently, however, China and Hong Kong have both relaxed some of these restrictions. As a result, foreign law firms can now enter into association with an existing local firm composed of lawyers eligible to practise law in Hong Kong but ineligible to practise in Canada.

In selecting the target markets, law firms are only limited by their imagination. Pouliot Mercure, a mid-sized Montreal law firm, has entered into affiliation with a major law firm in Mexico. Ray Connell and Davis & Co., both of Vancouver, are among the few Canadian law firms which have established regular business contact with law firms in Japan. At least two Montreal law firms are eying the Southeast Asia market. Stikeman Elliott has seven foreign offices in Asia, Europe and the United States. Nevertheless, of all the target markets, the Pacific Rim appears to be the favourite

(Continued on page 8)

LSA Elections Results

Mary-Pat Cormier - Chief Returning Officer

Fred Headon, Jr. - Deputy Returning Officer

Thank-you to everyone who worked on and voted during this year's L.S.A. elections. Over 70% of eligible voters cast ballots in the elections for the fourteen positions available. In addition only four positions were acclaimed. For a complete list of results please see below.

PRESIDENT

Roland Legault	160
*Noah Stern	213
Total ballots cast	388

Total ballots spoiled 16

STUDENT MEMBERS OF FACULTY COUNCIL

Jake Avayou	149
*Alison Breen	193
Reesa Heft	58
*Leslie Kaufman	232
Joanne Klineberg	125
*Sherri Kreisman	172
Emil Pllicer	106
*John Saywell	161
Total ballots cast	390

Total ballots spoiled 26

V-P COMMON LAW

*Tony Di Silvestro	112
Heidi Kessner	45
Total ballots cast	169

Total ballots spoiled 12

V-P CIVIL LAW

Laurence Detiere	71
*Virginie Gauthier	82
Rhonda Rudick	46
Total ballots cast	204

Total ballots spoiled 5

V-P ADMINISTRATION

*Sophie Barabe	172
Laura Fish	166
Total ballots cast	390

Total ballots spoiled 52

V-P FINANCE

Mike Akkawi	117
Tania Chugani	97
*Alexandra Kau	140
Total ballots cast	389

Total ballots spoiled 35

ATHLETIC COORDINATOR

*Jean-Phillippe Daoust	178
Martin Ertl	170
Total ballots cast	386

Total ballots spoiled 38

LLB III CLASS REPRESENTATIVE

M.J. Fernandes	22
*Mark Robinson	23
Total ballots cast	45

Total ballots spoiled 0

BCL II CLASS REPRESENTATIVE

*Myrna Barakat	27
Francois Carrier	12
Liz Freedman	18
Lyanne Winikoff	15
Total ballots cast	72

Total ballots spoiled 0

NATIONAL IV CLASS REPRESENTATIVE

*Anthony Cooper	50
Marni Sternthal	30
Total ballots cast	81

Total ballots spoiled 1

LAW SENATOR

Daniel Brock	108
Jonathan Lerner	79
*Christoph Sicking	177
Total ballots cast	388

Total ballots spoiled 24

ACCLAIMED POSITIONS

Social Coordinator	Kiri Vanikiotis
V-P External	Adam Atlas
LLB II Class Rep	Chris Langdon
BCL III Class Rep	Jody Berkes

LA COUPE DE GRACE

(Continued from page 5)

grooming, a smile, an easy but present stride are all pre-requisites to embarking on the path to a superior haircut. The display of such peaceful fortitude creates in the barber the fundamental desire to be a part of the success that surrounds the happy and healthy patron. The desire to contribute one's efforts to he who appears to need it least is a tendency that unites all animals, not merely the human, and when applied in the coiffeurial domain the results are dramatic.

The patron's entrance to the barber shop should be as grand as Sinatra's horn section. The smile, the richness of voice and the glint of teeth should massage the senses of the resident artisans and fellow patrons alike. A greeting in the shop's language, a simple *Ciao, Hola, whassup*, or *Bonjour* should flow smoothly. The patron, if he is able, should establish a connection with the artisan of his choice at the earliest opportunity, utilizing a steady and direct visual gaze. As this, the unspoken communication between two people, is a serious endeavour, it should not be taken lightly and must display the requisite sincerity. Nervously darting eyes and a furrowed brow have no place on the

patron's face. He must carry himself steadily and confidently, maintaining at once an intimate connection with ground below and a postural aspiration towards the heavens above. Continuously through the moment, the patron must feel the strength of the earth permeating his body, and carry the groove, the confident gaiety of the Eager Young Man himself.

The barber will respond by pulling him or herself to his tallest stature, and spare no trouble honouring the details of this most noble profession. The patron may get comfortable upon assuming his place on the coiffeurial throne. In the more traditional barber shops, one may still notice magazines that contain the common man's highest artistic homage to aesthetic and form, the nude female human. In barber shops, as in auto repair garages, both of which being nothing if not houses of worship of the Aesthetic, the viewing of soft core pornography can be accepted as a brief foray in the world of baroque shape and form by the noble patron.

Properly seated, the patron may observe in a mirror the cultivation of the coiffeurial artisan's craft - the respect for form and substance - executed with sufficient dexterity and skill to allow the barber to repeat the job dozens of times daily. To prune the many disparate hairs

into a sustainable, attractive unity - is any profession more noble? To craft and technique, shaping the back of the neck into a line accurate the merest hair, snipping away bits that exceed the standard by the very micron.

Getting the barber's best performance is a matter of simply invoking fundamental laws that command it. Every patron is unique, and demonstrates his own style. The mark of the superior patron is that his style conveys the best of his personality to others around him. Rare is the barber who can resist the call to practice his art to the best of his ability in the presence of one who is practicing his own art at his own best. Today, for the first time in my existence, I wore a pressed shirt and tie into the *Coiffeur Albanese Barbershop*. I sat tall and proud and relaxed, and Salvatore rewarded me with his best coupe, the best I have yet received. When the cutting was done, and incomprehensibly minute adjustments and refinements completed, Salvatore added a step, brushing my shoulders and chest with a bristle brush that I have never in twenty-four years seen. One for all, and all for one.

Globalization

(Continued from page 6)

choice of Canadian law firms, although the British and American law firms dominate the scene there.

China is a market which has seen the vicissitude of Canadian legal presence. In the early 1980s, two large Canadian law firms set up branch offices in China. Both have since closed down due to lack of business. Last year, however, a small Toronto law firm obtained the permission from the Chinese Ministry of Justice to become the only Canadian law firm currently operating on mainland China. By comparison, there were 13 U.S. law firms operating in China.

Canadians are doing a bit better in Taiwan. Of the 15 foreign law firms on the island, four are Canadian and nine are from the United States.

The largest Canadian presence in the Pacific Rim is in Hong Kong. The list of the

Canadian firms operating there reads like a "Who's Is Who" of Canadian mega-firms: Phillips & Vineberg, McCarthy Tétrault, Bull Housser & Tupper, Osler Renault Ladner, and Stikeman Elliott. As of the end of 1993, there were 21 British law firms in Hong Kong, followed by 19 U.S. law firms.

The best way to find out whether a firm is going global and how committed it is, short of actually working there, is to do some research beyond the firm's brochure. The standard source is the "Marindale-Hubbell International Law Directory". A search through the firm's profile, particularly the biographical profiles of its members (what languages they speak, what ethnic backgrounds they come from, what working experience they have), could be most revealing. Talking with people in the firm could help you grasp the firm's philosophy. Finally, regular perusal of the CBA's "Canadian Lawyer" and its counterparts in Quebec or Ontario could keep you updated of current trends in the legal service industry.

With its effect on the domestic market, globalization of Canadian legal service is going to affect almost every one of us. Knowing what lies ahead, getting prepared accordingly and keeping your options open -- these could be vital in helping secure a rewarding legal career for you.

McGill Law Names New Dean

(Continued from page 1)

flying aboard the McGill University Challenger Jet from Newfoundland to British Columbia, touching down to cut cakes and hand deliver year-end results to McGill law students everywhere.

There remains only one voice critical of the appointment - that of Associate Dean Alison Harvison-Young who said: "Don't get too comfortable Kim. This may only be a summer job."

With files from Craig Shepherd, LLB I.

McGill Law Journal

Revue de Droit de McGill

Note Project 1994/95

This year again the McGill Law Journal is continuing the tradition of organizing under its umbrella a "Note Project". In the past, topics chosen as note projects have been The Young Offenders Act and Third-Party Medical Decision-Making. This year's topic is going to be communications/information law. If you find this topic interesting and if you feel that your writing skills are good, we encourage you to apply. Here is how it works:

- Participation on the note project involves writing a fall term essay on the designated topic, and working in the spring term to amalgamate the separate papers into a one-hundred page final "Note". The project is thus the equivalent to a six-credit course and fulfills the McGill Law Faculty writing requirement. Participation in this project will preclude you from applying to the Law Journal Editorial Board for the year 1994-95. Furthermore, as the Note requires a substantial commitment of time and effort, first year students, though eligible, should carefully consider whether second-year obligatory courses will permit this commitment. Individuals who have already had the opportunity to participate in one of the two preceding notes are kindly asked not to apply.

- Nous encourageons les étudiant(e)s francophones et anglophones à soumettre leur candidature. La langue de rédaction de la Note dépendra de la composition linguistique du groupe. Un produit final bilingue peut aussi être envisagé. Il est possible que l'on doive effectuer certaines tâches pendant l'été, mais il n'est pas nécessaire de rester à Montréal pendant cette période.

- Being involved in this project means that you will be working with four or five other students on an article that should be of "publishable" quality. After the note is finished, it will be submitted to the 1995-96 Editorial Board of the McGill Law Journal to be considered for publication. Publication is not automatic, however, as the final decision lies with the McGill Law Journal.

- Il semble que la question du droit de l'information/communication en soit actuellement une en phase de développement accéléré. Les échanges de données se multiplient, les réseaux de communications se perfectionnent, l'utilisation du papier risque de diminuer de façon significative à moyen terme. Le droit de communication est donc un sujet très vaste; il adopte différentes facettes et touche à plusieurs domaines juridiques - que ce soit le droit des médias, la protection des renseignements personnels, le droit des télécommunications, le droit des loisirs et du spectacle, la propriété intellectuelle, etc..

- The topic for the upcoming year, communication/information law, is for now to be understood in its largest sense. The specific focus of the project, as well as the methodology to be adopted, will be decided by all participants once they have been chosen.

Here is how to apply:

1. Submit the following items to the attention of the Note Project Editor at SAO by Monday April 4, 1994:

- a.) a covering letter in which you state why you are interested in the project; if you have any research experience that may be relevant, please let us know also;

- b.) a curriculum vitae;

- c.) a writing sample (preferably legal).

2. Sign up for an interview. Interviews will be held on Friday, April 8, 1994.

PLEASE DO NOT SUBMIT MARKS.

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Your Legal Questions Answered*(Continued from page 1)*

John Brierley: Some people believe that the differences between these two systems of law are substantive, but since the *Civil Code of Quebec* has made provision for the greatest invention in the history of the world - the trust - there are now no significant differences in substance between the common law and civil law. Others have suggested that the difference is one of reasoning, with the civil law being based on a deductive approach whereas the common law relies on the inductive way of solving problems. But nobody, except a few philosophers who have never practiced law, really understands what this means, so it too is a generally meaningless distinction. The main difference is one of language. Anything important in the common law will be written in English. Comment on the civil law, however, can be in any number of exotic or obscure languages.

Q: I am interested in practicing international law, but every time I mention this to my lawyer friends they laugh and tell me there is no such thing as international law. Are my friends right?

Stephen Toope: Your friends are ill-informed. It is true that there is no international legislative body that has indisputable power over its constituent members, no international police force to enforce any dictates, and no court that can summon people to appear for judgment. But there are many articles written on international law, a great many conferences in sunny places on the subject, and much government funding to support research in the area. Clearly there is such a thing as international law.

Q: When will a court review the decision of an administrative body?

Alison Harvison-Young: Generally a court will review an administrative decision in such of the following instances: (a) If the decision rendered by the administrative body betrays some trendy, left-of-centre approach, particularly in the area of human rights; (b) If the court docket is not too full and the case promises to be an amusing one; (c) If a friend of the judge wants to write a case comment on the matter. Naturally, the courts cannot be so up front about these criteria, so they devise all sorts of confusing and contradictory "tests" so as to suggest that there is some sort of objective framework in place.

Q: Should fault be a part of the basis for the law of tort and delict?

Nicholas Kasirer: No one has really figured this out, and except for the occasional guest speaker at a seminar, no one really cares. It is possible that one day the powers to be will figure out that this whole area of the law is a conspiracy which provides an excuse for lawyers and law professors to argue about various cases endlessly, and will decide that the whole mess ought to be done away with. The best way to cover yourself as a lawyer is to ensure that your practice is not based solely around matters connected with tort or delict. Similarly, a law professor is advised to dabble in all sorts of other areas of the law, so as to be assured of being able to survive if courses in this part of the law are terminated.

Q: Everyone talks of the possibility of Quebec declaring independence. I have studied Canadian constitutional documents very closely and I cannot find any provision that would allow for such a possibility. How exactly can Quebec become independent?

Stephen Scott: It can't.

With files from Quid reporter Randy Hahn, LLB III.

COFFEE HOUSE

WEDNESDAY, MARCH 30th, 4:00-7:00

All students are invited to attend a Coffee House this Wednesday, March 30th, from 4:00 to 7:00p.m. in the Common Room, which will be sponsored by the law firm Lavery, De Billy.

Lawyers from the firm will be in attendance to entertain any inquiries.

Jody Talks No More

Laurence Detière
BCL I

In late breaking news, it is rumoured that Jody Berkes, the mysterious literary 2nd year student, will no longer write a weekly column for the *Quid*. Although Jody has not yet commented on this, I've felt it necessary and helpful to compile a Top Ten list (So I watch too much Late Nite...). After all, with ten reasons, all he'll have to do is pick one to stop the speculation

1. Jody's professionalism slipped last month when he missed a deadline and did not submit a column for the *Quid*. Jody's silence was frowned upon by *Quid* editors, and pending a pardon, he has been demoted from his "weekly" title. Meanwhile, he will be punished by having a non-Jody *Quid* in the glass display case in the basement.
2. *Quid* staff is sick of typing Jody's column which is *still* being done on Macintosh incompatible, which *Quid*-central can't process. And Jody is still not cooperating (i.e., buying a new computer. P.S. Jody, the *Quid* is as broke as you are, so I guess it's another stalemate).
3. The response to Jody's "coupon" on why people read the *Quid* was overwhelming. They don't read it for Jody. In fact, they read it for Laurence Detière (NO, this is not a biased answer). So I'll take over the reins, thank you very much.

3. Jody has been kidnapped by irked regular writers who cannot keep up with Jody's weekly submissions. He will therefore be forced to write articles for the other writers before writing his own (Jody, stop being so selfish. After all, *how hard* is it to write an article *anyway?*).
4. Jody is too tired to write after a brutal campaign for BCL III rep. He won, but just by a hair (make that a beard). He now wants to devote *all* his time to the LSA and his new repressibilities.
5. Jody can't write as he's still waiting for the Coffee House That Never Came (March 17th).
6. Jody has transferred to Yale because of their pass/fail policy, although he's not sure yet for which he'll opt.
7. Jody is sooo impressed by parallel citations, he has defected from the *Quid* to the *McGill Law Journal* to fulfill his dream of doing parallel cites, more parallel cites, and *more* parallel cites!!! We wish you the best of luck Jody. Really.
8. Jody has just realized that exams are only a couple of weeks away, and that all "Talk" and no work makes for supplemental examinations in the fall. It seems that there are now more urgent (versus important) things to write (read exams) than articles.
9. Additionally, it is rumoured that

Jody has broken his pencil trying to pry open the plastic on those casebooks (read photocopies) he had started to burn last fall. The toxic fumes from the burning plastic could account for certain behavioural problems [see #1 above. Euh, and #2, 5, 6 and 8 too for that matter].

10. Jody has been kidnapped by aliens because he really does know the real reason we only see news anchors from their waist up. *Bon Voyage Jody!*

This article was made possible by the letters H-E-L-P and the number 911, in honor of upcoming exams. It also stands as proof that all publicity, including false publicity, is good publicity, and reemphasizes the fact that NO, there is NO Quid policy [Eds. Note on Ed.: Ahem, certain other Quid editors beg to differ on this not so small point. The Quid policy was, in fact, explained with an example in Issue 9 of November 8, 1993. In a nutshell, the Quid policy is to strive for substantive objectivity through balance. That said, our policy is, to some extent, a function of you, an entity over which we exercise little, if any, control.]. The Quid will in fact print almost anything (except for Jody's column of course), so your submissions are encouraged. A clear, concise Criminal summary would also be greatly appreciated by the Monday 5pm Crim class, especially if it includes summaries of the 972 (and counting) Supreme Court decisions that have yet to be read by each sucker in that class.